

REMARKS

Claims 1-16 and 19-25 are pending in this application. Claims 17 and 18 are being cancelled. Reconsideration of claims 1-16 and 19-25 is respectfully requested.

Claim Rejections and Objections

Claims 1-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant (US Pat. No. 6,259,782) in view of Applicants' Admitted Prior Art. The rejections of claims 17 and 18 are moot in view of their cancellation herein.

Independent Claim 1

Claim 1 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant in view of Applicants' Admitted Prior Art. Claim 1 recites a method comprising, amongst other things, a command center (CC) querying through an SS7 backbone to a Home Location Register (HLR) for routing information, and the HLR returning a temporary routing number N via SS7 backbone to the CC. Gallant teaches a communications system including a wireline switch 120 connected to a wireless switch 130 by a Public Switched Telephone Network (PSTN) 140 and a signaling network 160 (FIG. 2) that connects to the other components via “SS7 or other comparable signaling links 162” (col. 2 lines 26-27). As noted by the Examiner, “Gallant does not disclose a VOIP virtual private network comprising a first gateway; a second gateway, and a command center returning VOIP IP address to the first gateway” (Page 3 lines 2-4).

Applicants' Admitted Prior Art shows a VoIP Virtual Private Network 240 including a command center 244 (FIG. 2). Further, Applicants' Admitted Prior Art shows that the VoIP Virtual Private Network 240 of FIG. 2 can replace a traditional PSTN 140 shown in FIG. 1. Applicant notes that in FIG. 2 the gateway GW-2 246 is the only component of the VoIP Virtual Private Network 240 that connects to the Wireless Network 160, and the connection is made over connection 262.

In making the rejection under 35 U.S.C. §103(a) the Examiner is not explicit about how the VoIP Virtual Private Network 240 of Applicants' Admitted Prior Art is supposed to be combined with the communications system of Gallant except to assert that “it would have been obvious to one of ordinary skill in the art to use the VOLIP virtual private network in the

admitted prior art into **Gallant** in order to achieve the claimed invention" (Page 3 lines 17-18). Applicant is left to assume that the VoIP Virtual Private Network 240 is being substituted into Gallant in place of the PSTN 140, exactly as is shown by FIGs 1 and 2 of Applicants' Admitted Prior Art. Making this substitution, it is clear that, as shown in FIG. 2, the command center 244 of Applicants' Admitted Prior Art only communicates with the gateways GW-1 242 and GW-2 246 and does not communicate with components outside of the VoIP Virtual Private Network 240. Put simply, even if one were to substitute the VoIP Virtual Private Network 240 for PSTN 140 of Gallant, there is no teaching or suggestion in either Gallant or Applicants' Admitted Prior Art that command center 244 should communicate with the Global Location Register (GLR) 210 of Gallant, or more particularly, that the command center 244 should query the Home Location Register (HLR) 44 (FIG. 3) of the GLR 210 for routing information through the SS7 links 162.

A *prima facie* case of obviousness requires that the prior art references teach or suggest all of the claim limitations (MPEP 2142). Even if one of ordinary skill in the art were to have made the combination proposed by the Examiner, since there is no teaching or suggestion in either Gallant or Applicants' Admitted Prior Art that the command center 244 would communicate through the SS7 links 162 to the HLR 44, the prior art references simply do not teach or suggest the limitations required by claim 1 that the CC query through the SS7 backbone to the HLR for routing information, and that the HLR return the temporary routing number N via SS7 backbone to the CC. Accordingly, a *prima facie* case of obviousness has not been established. Therefore, Applicants request that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. §103(a).

Independent Claim 2 and Dependent Claims 3-8

Claims 2-8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant in view of Applicants' Admitted Prior Art. Independent claim 2 recites a communication system comprising, amongst other things, a switching network having a command center and a second gateway for establishing an external connection, and a wireless network having a home location register for locating a visited mobile switch center and for passing routing information from the visited mobile switch center to the command center, wherein the command center causes the external connection to be established based on the routing information.

With reference to the limitation of claim 2 of a wireless network having a home location register for locating a visited mobile switch center and for passing routing information from the visited mobile switch center to a command center, Applicant notes that because Gallant does not teach a switching network having a command center, Gallant does not teach or suggest that the HLR 44 passes routing information to a command center. Likewise, in Applicants' Admitted Prior Art, although HLR 166 passes routing information within wireless network 160, and CC 244 handles routing information that relates to routing between gateways GW-1 and GW-2 within the VoIP Virtual Private Network 240, there is no teaching or suggestion that routing information from HLR 166 ever reaches CC 244. Accordingly, the combination of Gallant with Applicants' Admitted Prior Art does not teach or suggest the limitation of claim 2 of a home location register for passing routing information to the command center of a switching network.

Likewise, with reference to the limitation that the command center causes the external connection to be established based on the routing information, it is clear that because the home location register does not pass routing information to the command center, the command center cannot cause the external connection to be established based on that routing information. Accordingly, since at least two limitations of claim 2 are not taught or suggested by the combination suggested by the Examiner, a *prima facie* case of obviousness has not been established. Therefore, Applicants request that the Examiner withdraw the rejections of claim 2, and claims 3-8 depending therefrom, under 35 U.S.C. §103(a).

Independent Claim 9 and Dependent Claims 10-16

Claims 9-16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant in view of Applicants' Admitted Prior Art. Independent claim 9 recites a switching network for routing a caller's communication through a wireless network. The switching network comprises a command center for receiving routing information from the wireless network and for causing gateways to make an external connection to the switching network based on the routing information. For essentially the reasons provided above with respect to claim 2 a *prima facie* case of obviousness has not been established because the combination of references does not teach or suggest a command center of a switching network that receives routing information from a wireless network and that causes gateways of the switching network to make an external connection to the switching network based on the routing information.

Therefore, Applicants request that the Examiner withdraw the rejections of claim 9, and claims 10-16 depending therefrom, under 35 U.S.C. §103(a).

Independent Claim 19 and Dependent Claims 20 and 21

Claims 19-21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant in view of Applicants' Admitted Prior Art. Independent claim 19 recites a method with steps performed at a VoIP virtual private network and corresponding steps performed at a wireless network. At the VoIP virtual private network routing information is requested from a wireless network and received therefrom, and an external connection is established through which a communication can be routed to the wireless network based on the routing information. At the wireless network routing information is generated in response to the request from the VoIP virtual private network, and routing information is passing to the VoIP virtual private network.

For essentially the reasons provided above with respect to claims 1 and 2 a *prima facie* case of obviousness has not been established because the combination of references does not teach or suggest (1) a VoIP virtual private network requesting routing information from a wireless network nor receiving it therefrom, nor establishing an external connection to the wireless network based on the routing information, or (2) a wireless network generating routing information in response to a request from a VoIP virtual private network, nor the wireless network passing routing information to the VoIP virtual private network. Therefore, Applicants request that the Examiner withdraw the rejections of claim 19, and claims 20 and 21 depending therefrom, under 35 U.S.C. §103(a).

Independent Claim 22 and Dependent Claims 23 and 24

Claims 22-24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant in view of Applicants' Admitted Prior Art. Independent claim 22 recites a method of routing a caller's communication to a wireless network comprising requesting routing information from the wireless network, receiving the routing information from the wireless network, and establishing an external connection to the VoIP virtual private network based on the routing information.

For essentially the reasons provided above with respect to claims 1 and 2 a *prima facie* case of obviousness has not been established because the combination of references does not teach or suggest requesting routing information from the wireless network, receiving the routing information from the wireless network, nor establishing an external connection to the VoIP virtual private network based on the routing information. Therefore, Applicants request that the Examiner withdraw the rejections of claim 22, and claims 23 and 24 depending therefrom, under 35 U.S.C. §103(a).

Independent Claim 25

Claim 25 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Gallant in view of Applicants' Admitted Prior Art. Independent claim 25 recites a method of routing a caller's communication from a VoIP virtual private network to a subscriber comprising receiving a request from the VoIP virtual private network, and passing the routing information to the VoIP virtual private network.

For essentially the reasons provided above with respect to claims 1 and 2 a *prima facie* case of obviousness has not been established because the combination of references does not teach or suggest receiving the request from the VoIP virtual private network, nor passing the routing information to the VoIP virtual private network. Therefore, Applicants request that the Examiner withdraw the rejection of claim 25 under 35 U.S.C. §103(a).



CONCLUSION

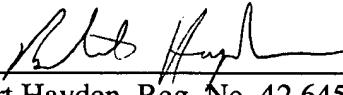
All pending claims are now allowable and Applicants therefore respectfully request a Notice of Allowance from the Examiner. Should the Examiner have questions, the Applicants' undersigned agent may be reached at the number provided.

Respectfully submitted,

Peter Bohacek et al.

Date: 2/15/04

By:



Robert Hayden, Reg. No. 42,645
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, CA 94303
TEL: (650) 812-3465
FAX: (650) 812-3444